

**Notice of Allowability**

Application No.

10/748,731

Examiner

Chanda L. Harris

Applicant(s)

MARCUS ET AL.

Art Unit

3715

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to correspondence filed on 10/22/04, 11/19/04.
2. ☒ The allowed claim(s) is/are 4-56.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>9/10/04, 12/14/04, 3/21/05</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material   | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian Marcus on 10/4/05 and 10/17/05.

The application has been amended as follows:

- Specification, page 5, after line 8: Insert:

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FIGURE 6A is a isometric view of the block location system within working platform according to an alternative embodiment of the present invention.

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- Specification, page 1, line 2: Replace "currently pending" with -- and issued as U.S. Patent No. 6,726,485 --.

Specification, Page 14, lines 10-22: Replace with

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-- Grids of various other known configurations may be utilized in the block location system in alternative embodiments of the invention. For example, a grid of wires may be provided within the working platform, together with a signal reader as described above capable of both transmitting an energizing signal and receiving a character identification signal. In this embodiment, in addition to transmitting the character identification signal, each block also emits a magnetic field. Thus, when a block 20 is placed on the working platform, a character identification signal is generated. The magnetic field of that block also generates a current in one or more of the wires of the grid, from which the location of the block may be determined. Alternatively, the grid of wires 60, as shown in Fig. 6A, may be energized sequentially much in the same way as described in connection with Fig. 6 to induce a magnetic field to facilitate ~~facilitated~~ detection of the location and identification of the blocks. --

- Claim 7, line 2: Replace "the user" with -- the child --.
- Claim 11, line 3: Replace "the user" with -- the users --.
- Claim 13, line 11: Replace "work platform" with -- the work platform --.
- Claim 16, line 2: Replace "the user" with -- the child --.
- Claim 20, line 3: Replace "the user" with -- the users --.
- Claim 22, line 7: Replace "the lateral" with -- lateral --.
- Claim 22, line 12: Replace "a movement tacking capability" with  
-- the electronic educational toy having a movement tracking capability --.
- Claim 25, line 2: Replace "the user" with -- the child --.
- Claim 29, line 3: Replace "the user" with -- the users --.
- Claim 31, lines 12 and 13: Replace with

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-- a plurality of images generated on the work platform to the child to facilitate interaction between the child and the educational software, wherein the images presented on --.

- Claim 34, line 2: Replace "the user" with -- the child --.
- Claim 38, line 3: Replace "the user" with -- the users --.

These changes were made to more distinctly claim and represent the claimed subject matter, to correct a potential objection to the specification due to minor informalities, and to overcome antecedent basis issues.

### ***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: The prior art does not teach or fairly suggest wherein the sensing system comprises a grid of wires, wires of the grid being sequentially energized so that contact caused by the child generates a variation in one or more of the wires of the grid from which the location of contact on the work platform can be determined in combination with the other claim limitations (Claim 4). The prior art does not teach or fairly suggest at least a portion of a sensing system comprising a grid of wires, the sensing system sensing the location of a first contact caused by a child on a planar surface of a work platform and, while the first contact is maintained in position to be sensed by a sensing system, sensing the location of a second contact caused by the child on the planar of the work platform in combination with the other claim limitations (Claim 13). The prior art does not teach or

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fairly suggest at least a portion of a sensing system designed to sense lateral movement of a child-caused contact across the face of a work platform while the contact is maintained with the work platform and the electronic educational toy having a movement tracking capability wherein in response to an audio prompt a child causes contact with the work platform to laterally move across the face of the work platform while contact is maintained with the work platform and a processor detects the path of the contact as it moves laterally across the work platform in combination with the other claim limitations (Claim 22). The prior art does not teach or fairly suggest a plurality of images generated on the work platform to the child to facilitate interaction between the child and education and the educational software, wherein the images presented on the work platform are changed from time to time, the processor being aware of the change of images without the child having to assist in advising the toy that the presented images have been changed in combination with the other claim limitations (Claim 31).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 571-272-4448. The examiner can normally be reached on M-F 6:30am-4:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica S. Carter can be reached on 571-272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Chanda L. Harris  
Primary Examiner  
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